

Order

Michigan Supreme Court
Lansing, Michigan

December 22, 2021

Bridget M. McCormack,
Chief Justice

163216

Brian K. Zahra
David F. Viviano
Richard H. Bernstein
Elizabeth T. Clement
Megan K. Cavanagh
Elizabeth M. Welch,
Justices

CANDI OTTGEN and PATRICK OTTGEN,
Plaintiffs-Appellants,

v

SC: 163216
COA: 350767
Ingham CC: 19-000266-NH

ABDALMAIJID KATRANJI, M.D., KATRANJI
RECONSTRUCTIVE SURGICAL INSTITUTE,
KATRANJI RECONSTRUCTIVE SURGERY
INSTITUTE, PLLC, KATRANJI FAMILY
FOUNDATION, KATRANJI HAND CENTER,
and KATRANJI INSTITUTE,
Defendants-Appellees.

On order of the Court, the application for leave to appeal the May 20, 2021 judgment of the Court of Appeals is considered, and it is GRANTED. The parties shall address whether *Scarsella v Pollack*, 461 Mich 547 (2000), was correctly decided and whether the plaintiffs' complaint, which was filed without an affidavit of merit contrary to MCL 600.2912d(1), should have been dismissed without prejudice. The appellants' brief and appendix shall be filed by February 28, 2022, with no extensions except upon a showing of good cause. The time for filing the remaining briefs shall be as set forth in MCR 7.312(E). The time allowed for oral argument shall be 20 minutes for each side. MCR 7.314(B)(1).


The Michigan Association for Justice, the Michigan Defense Trial Counsel, Inc., and the Negligence Law Section of the State Bar of Michigan are invited to file briefs amicus curiae. Other persons or groups interested in the determination of the issue presented in this case may move the Court for permission to file briefs amicus curiae.



a1215

I, Larry S. Royster, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

December 22, 2021


Clerk